

Applicant : Kothapalli et al.
Serial No. : 10/763,378
Filed : January 23, 2004
Page : 3 of 12

Attorney's Docket No.: 13914-035001 / 2003P00940 US

Amendments to the Drawings:

In response to the objection to figures 8-10, new figures 8-10 are provided, in which the objected-to shading has been removed. No new matter is being added by these amendments.

Attachments following last page of this Amendment:

Replacement Sheet (3 pages)
Annotated Sheet Showing Change(s) (3 pages)

REMARKS

The Office Action mailed May 9, 2006, objected to the figures and rejected the pending claims under 35 U.S.C. §§ 102 and 103, in view of various references. In response, Applicants have corrected the drawings and amended the independent claims to include subject matter that was previously included in dependent claims. Other claims have been amended for consistency or clarity. Support for the amendments can be found in the originally filed claims and in the specification—for example, at page 14, paragraph 0061 and at page 16, paragraph 0068. Accordingly, no new matter has been added.

Applicants submit that the claim amendments overcome the rejections of record. As amended, claim 1 recites a method comprising creating a plurality of auction profiles, each of said plurality of auction profiles including a subset of rules from a plurality of auction rules; assigning one of said plurality of auction profiles to an auction object; conducting an auction based on said auction object; and at a first bidder site, displaying a graphical user interface having a configuration including display objects dictated by auction rules in the assigned one of said plurality of auction profiles; wherein the auction rules in the assigned one of said plurality of auction profiles *prevent display objects related to bids received from other bidder sites from being displayed at the first bidder site until a first acceptable bid has been received from the first bidder site*. As amended, claim 17 recites a networked computer system comprising an initiator site operative to create an auction profile, the auction profile comprising rules that control display of information to a plurality of bidders during an online auction; a server operative to host an online auction corresponding to the auction profile; and a plurality of supplier sites operative to transmit bids to the server during the auction; wherein the rules prevent information from being displayed at one supplier site about bids received from other supplier sites, until a first acceptable bid has been received from the one supplier site by the server.

Applicants note that in rejecting claim 13 (which has been incorporated in independent claim 1 by the current amendments), the Office Action asserted that “Centner [U.S. Patent Application No. 2002/0007324] teaches . . . that bid data is not shown until validated, thereby, until the first bid is validated its data is not shown,” (Office Action mailed May 9, 2006, at page

5), and the Office Action referred to FIG. 4B and paragraph 0043 for support for this assertion. Based on the cited portions of Centner, it appears that the Office Action is equating determination of whether the auction period has expired with *validating the bid data*.

FIG. 4B and paragraph 0043 merely describe a “decision” that is “made at step 145 to determine if the auction period has expired, i.e., the auction end date/time is equal to the current date/time. If the auction period has not ended, the suppliers are enabled to re-visit their bids, Otherwise, in the case of a more traditional bidding RFQ event, e.g., sealed bid, no bids may be modified.” Applicants respectfully submit that determining whether the auction period has expired is not *validating the bid data*. In particular, FIG. 4B and paragraph 0043 do not teach or suggest *preventing display objects related to bids received from other bidder sites from being displayed at a first bidder site until a first acceptable bid has been received from the first bidder site*, as recited by amended claim 1; nor do FIG. 4B and paragraph 0043 teach or suggest preventing information from being displayed *at one supplier site* about bids received from other supplier sites, *during the online auction, until a first acceptable bid has been received from the one supplier site by the server*, as recited by amended claim 17.

Preventing display objects related to bids received from other bidder sites from being displayed at a first bidder site until a first acceptable bid has been received from the first bidder site gives rise to significant advantages that are not contemplated by the art of record. In particular, this “prevents bidders from seeing any bid activity until the bidders actually participate. Price information may be highly sensitive, and non-serious bidders should not be able to sit at the sidelines and view their competitors’ prices.” (Paragraph 0061, at page 14 of the originally filed specification; see also paragraph 0068, at page 16 of the originally filed specification which indicates that this “feature is designed to prevent the bidders from taking advantage of the monitoring and getting the bidding and pricing information, without true [intention] of participating [in] the auction.”))

For at least the reasons presented above, independent claims 1 and 17 and their dependent claims 2-3, 5, 7-12 and 15-16; and 19-25 and 27-29 are believed to be in condition for allowance, and Applicants request favorable reconsideration of the same. Moreover, one or more of the

pending claims may be patentable for additional reasons. For example, in rejecting claim 27, the Office Action asserted that the combination of Centner and Gillman (U.S. Patent Application No. 2002/0147674) teaches allowing multiple bidders from a company to bid in the same auction and validating each by checking whether the bid is lower than the current lowest bid of the bids by bidders within the company. The Office Action pointed to paragraph 0040 in Gillman as support for this assertion. Applicants note that paragraph 0040 of Gillman merely says that “[i]t is preferable for multi-user shops to maintain internal communication to prevent more than one supplier from the same shop from bidding against each other.” Neither Gillman nor Centner nor the combination of Gillman and Centner teaches or suggest the *networked computer system* that is recited by claim 27.

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to this amendment.

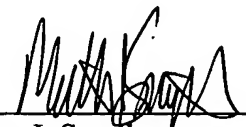
Applicant : Kothapalli et al.
Serial No. : 10/763,378
Filed : January 23, 2004
Page : 12 of 12

Attorney's Docket No.: 13914-035001 / 2003P00940 US

Enclosed is a Petition for One-month Extension of Time and a check in the amount of \$120 for the requisite fee. No other fee is believed due in connection with his submission. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: SEPTEMBER 11, 2006



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Profile Name:
Description:

Information Display

- ☒ Start Price
- ☒ Reserve Price
- ☒ Decrement Value
- ☒ Best Bid
- ☒ Next Valid Bid
- ☒ Rank
- ☒ First Place Ind.
- ☒ My Bid
- ☒ Factored Cost Bidding
- ☒ Hide Until First Valid Bid
- ☒ Bid Charts
- ☒ Extension Information
- ☒ No. of Invited Bidders

Bid Validation

- ☒ Bid too low warning
- ☒ Bid all line items
- ☒ Hide Bids until First Acceptable Bid
- ☒ Company Best Bid
- ☐ Bidder Best Bid
- ☐ Free bidding

802

806

804

800

Shading Removed

FIG. 8

Shading Removed

Configurable Fields / Functions	Auction Types			
	English	Rank-Only	Blind	English, Company Best Bid
Reserve Price				
Rank	On	On		On
Best Bid	On			On
Next Bid Value	On			On
First Place Flag			On	
My bid	On	On	On	On
Hide Until First Valid Bid				
Company Name(bid History)				
Price(bid History)	On			On
Date/time(bid History)	On			On
Show competitor's bids (bid History)	On			On
Extension info(header)	On	On	On	On
Number of Invited Bidders(header)	On	On	On	On
User Name(bid History)				
Bid Chart	On			On
Bid Volume Chart	On	On	On	On
Best bid by bidder Chart				
Send Chat	On	On	On	On
Company Best Bid				On
Overall best bid	On			
Bidder Best Bid		On	On	
BADI validation				

FIG. 9

900

Shading Removed

Configurable Fields / Functions	Turned off if rule "hide until first valid bid?" is on
Start price	
Reserve Price	
Rank	Off or On
Decrement Value	
Best Bid	Off
Next Bid Value	Off
First Place Flag	Off or On
My bid	Off or On
Hide Until First Valid Bid	N/A
Company Name(bid History)	Off
Price(bid History)	Off
Date/time(bid History)	Off
Extension info(header)	
Number of Invited Bidders(header)	
User Name(bid History)	Off
Bid Chart	Off
Bid Volume Chart	Off
Best bid by bidder Chart	Off
Send Chat	
Company Best Bid	Off
Overall best bid	Off
Bidder Best Bid	Off or On
BADI validation	

FIG. 10

1000